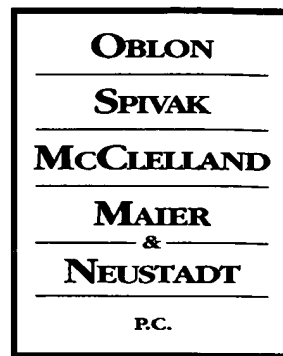




Docket No.: 202051US2

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/764,264  
Applicants: Takeshi HIRABAYASHI  
Filing Date: January 19, 2001  
For: APPARATUS FOR INPUTTING COORDINATES  
Group Art Unit: 2673  
Examiner: KOVALICK, VINCENT E.

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SEP 02 2004

Technology Center 2600

SIR:

Attached hereto for filing are the following papers:

**REMARKS**

**Copy of Assignment**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*Katherine D. Pauley*

Gregory J. Maier

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Katherine D. Pauley

Registration No. 50,607

# 7



DOCKET NO: 202051US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TAKESHI HIRABAYASHI : EXAMINER: KOVALICK, V. E.  
SERIAL NO: 09/764,264 :  
FILED: JANUARY 19, 2001 : GROUP ART UNIT: 2673  
FOR: APPARATUS FOR INPUTTING :  
COORDINATES :

REMARKS

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

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Technology Center 2600

SIR:

Responsive to the Office Action dated September 23, 2002, subsequently withdrawn per interview summary dated November 18, 2002. Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

**Remarks** begin on page 2 of this paper.

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-22 are pending; no claims are newly added, amended, or canceled herewith.

In the outstanding Office Action dated September 23, 2002, Claims 1, 6, 12 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Takekawa et al. (U.S. Pat. No. 6,335,724, hereafter Takekawa); Claims 2, 8, 13, and 19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Takekawa in view of Jung (U.S. Pat. No. 6,449,041); and Claims 5 and 16 were rejected under 35 U.S.C. § 103(a) as unpatentable over Takekawa in view of Downing (U.S. Pat. No. 5,988,645). On August 20, 2004, Examiner Kovalick contacted the Applicant's representative and requested that the following formal remarks be submitted.

At the outset, applicants acknowledge with appreciation the indication that Claims 3, 4, 7, 9-11, 14, 15, 18, and 20-22 are allowable.

With regard to the outstanding rejections of Claims 1, 2, 5, 6, 8, 12, 13, 16, 17, and 19, these rejections all rely upon Takekawa as the primary reference. Takekawa is assigned on its face to Ricoh Company, Ltd. The inventor of the present application was under an obligation at the time of invention to assign the present invention to Ricoh Company, Ltd. A copy of the assignment of the present application to Ricoh Company, Ltd. as filed, including the date-stamped filing receipt, is enclosed herewith.

Takekawa was filed as a U.S. Patent Application on July 9, 1999 and issued as a U.S. patent on January 1, 2002. The present application was filed on January 19, 2001. Thus, Takekawa is available against the pending claims only under 35 U.S.C. § 102(e). In light of the evidence of common ownership set forth above, it is respectfully submitted that Takekawa may not be applied against the pending claims under 35 U.S.C. § 103 in the

manner proposed by the outstanding Office Action. Therefore, it is respectfully requested that the outstanding rejections of Claims 1, 2, 5, 6, 8, 12, 13, 16, 17, and 19 be withdrawn.

Consequently, in view of the foregoing discussion, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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(OSMMN 06/04)

GJM:KDP\la



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Gregory J. Maier  
Registration No. 25,599  
Attorney of Record  
Katherine D. Pauley  
Registration No. 50,607

# Assignment Of Application

Page 1 of 2

WHEREAS, I (WE) Takeshi HIRABAYASHI of  
c/o RICOH ELEMEX CORPORATION, 2-13, Nishiki 2-chome,  
Naka-ku, Nagoya-shi, Aichi 460-0003 Japan

INSERT NAMES  
AND RESIDENCE  
ADDRESSES OF  
THE INVENTORS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, respectively,

INSERT TITLE  
OF INVENTION:

have invented certain new and useful improvements in: \_\_\_\_\_  
APPARATUS FOR INPUTTING COORDINATES

INSERT DATE IN-  
VENTORS SIGNED  
DECLARATION:

for which an application for Letters Patent was executed on December 22, 2000  
(Application No. 09/764,264, filed JANUARY 19, 2001), and

INSERT NAME  
AND ADDRESS OF  
COMPANY OR  
OTHER ASSIGNEE:

WHEREAS, RICOH COMPANY, LTD.  
(hereinafter referred to as "ASSIGNEE") having a place of business at: 3-6, Nakamagome  
1-chome, Ohta-ku, TOKYO 143-8555 JAPAN,  
is desirous of acquiring the entire right, title and interest in and to said invention and in and to any  
Letters Patent that may be granted therefore in the United States and its territorial possessions and in  
any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

COPY

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: <u>Dec 22, 2000</u>	<u>Takeshi Hirabayashi</u> (Signature of Inventor) Takeshi HIRABAYASHI
Date: _____	_____ (Signature of Inventor)
Date: _____	_____ (Signature of Inventor)
Date: _____	_____ (Signature of Inventor)
Date: _____	_____ (Signature of Inventor)
Date: _____	_____ (Signature of Inventor)
Date: _____	_____ (Signature of Inventor)

**OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.**  
 ATTORNEYS AT LAW  
 FOURTH FLOOR  
 1755 JEFFERSON DAVIS HIGHWAY  
 ARLINGTON, VIRGINIA 22202